

REMARKS

This amendment is responsive to the non-final Office Action issued August 31, 2009. Reconsideration and allowance of claims 11-26 and 28-29 are requested.

The Office Action

Claims 11-16, 19, and 20 stand rejected under 35 U.S.C. § 102 over Nelson (US 3,407,634).

Claims 17, 18, and 21-29 stand rejected under 35 U.S.C. § 103 over Nelson in view of the Pumpkin Lady website.

35 U.S.C. § 112, First Paragraph

Antecedent basis for plywood in claim 15 is found in claim 3, as originally filed. Moreover, plywood has been continuously claimed throughout the prosecution of this application. Accordingly, it is submitted that claim 15 fully meets the requirements of 35 U.S.C. § 112, first paragraph.

**The Claims Distinguish Patentably
Over the References of Record**

Claim 11 calls for each of the perforations to releasably receive a nail. By contrast, the nails 24 of Nelson are driven through the frame 17, bent flush to the frame, bent again, and stapled to the frame to secure them more strongly. Accordingly, it is submitted that Nelson does not releasably receive the nails.

Rather, the nails of Nelson are “deader than a doornail”. Back when iron was a valuable commodity, thieves would steal iron nails from the door of the dwelling by pulling them out from the exterior. To prevent such thefts, the nails were driven clean through the door and then bent over and hammered flush to the inside of the door, just like the nails of Nelson, to make them unremovable.

Accordingly, it is submitted that claim 11 and claims 12-20 dependent therefrom are not anticipated by and are patentable over Nelson.

Claim 12 calls for two rings of perforations. By contrast, each frame 17 of Nelson only has a single ring of nails. Nelson tells the reader to start with a single sheet of material and cut a series of ovals along paths 11, 12, 14, 16 to make a

plurality of frames. As shown in Figure 2, each frame only has a single ring of nails. Accordingly, it is submitted that claim 12 and claim 14 dependent therefrom are not anticipated by Nelson.

Claim 16 calls for at least one of the perforations to be beveled. Note the beveled openings in the front side of the perforations 8 in Figure 3 or 4 of the present application. Nelson makes no suggestion of beveling perforations.

Claims 17 and 18 call for the perforations to be angled. This provides assurance that the nails do not slide out of the perforations as the pelt dries and contracts. By contrast, in Nelson, each nail 18 is driven through the frame 17 perpendicular to its face, note Figure 3. Accordingly, it is submitted that claims 17 and 18 are not anticipated by Nelson.

The Pumpkin Lady website relates to carving pumpkins and provides no teaching, reason, or motivation why one should drive the nails of Nelson through the frame at an angle. Because the head 22 of each nail of Nelson is at the opposite side of the frame than the point 20, there is no risk that the nail will slide out as the pelt dries. Accordingly, it is submitted that the Pumpkin Lady website has no teaching which would cause one to modify Nelson to include angled perforations.

Claim 20 emphasizes that at least one of the perforations has a diameter that is slightly greater than an outer diameter of an associated one of the nails. This enables the nails to slide out of or be slid into the perforations. By contrast, the nails 24 of Nelson are driven into the frame 17. Accordingly, it is submitted that claim 20 is not anticipated by Nelson.

Claim 21 calls for the perforations to have diameters larger than an outside diameter of the nail. By contrast, the nail 24 of Nelson is driven through the frame and bent over. The Pumpkin Lady website relates to carving pumpkins and provides no teaching, reason, or motivation which would cause one to modify Nelson in this manner.

Moreover, claim 21 calls for passing a pointed end of the nails through a pelt and then inserting the pointed end of the nail that has passed through the pelt into one of the perforations. To the contrary, Nelson drives the nail through the frame, bends the nail twice, and later inserts the pointed end of the nail into the pelt long after the nail has passed through the frame. The Pumpkin Lady website does not

address whether nails should pass through a pelt first or a frame first, hence does not cure the shortcomings of Nelson.

Accordingly, it is submitted that claim 21 and claims 22-24 dependent therefrom distinguish patentably over the references of record.

Claim 23 calls for forming a beveled edge of the perforations prior to inserting a pointed end of one of the nails. Such a beveled end is not disclosed or fairly suggested by the Pumpkin Lady website, which is concerned with carving pumpkins, not facilitating the receipt of the pointed end of the nail. Accordingly, it is submitted that claim 23 distinguishes patentably over the references of record.

Claim 24 calls for forming the perforations at an angle. In this manner, the received nails do not slide out of the perforations as the pelt dries. In Nelson, there is no suggestion of angling the nail and, indeed, no risk that the nail, whose head 22 is on the opposite side of the frame, will slide out of the frame as the pelt dries. The Pumpkin Lady website, which is concerned with carving pumpkins, does not address this problem nor does it teach or fairly suggest the presently claimed solution.

Claim 25 calls for a kit in which the formed perforations through the rigid planar member slidably receive a pointed end of one of the nails and which perforations are tilted such that the nails do not slide out of the perforations as the pelt dries. Nelson neither addresses nor fairly suggests the problems of nails sliding out of the frame. Indeed, Nelson does not suffer such problem since the nails are driven into the frame, bent over, and further stapled to the frame. The Pumpkin Lady website neither recognizes this problem nor teaches the presently claimed solution. Accordingly, it is submitted that claim 25 and claims 26, 28, and 29 dependent therefrom distinguish patentably over the references of record.

Claim 29 calls for simultaneously drying a second pelt on the other side of the rigid planar member. Nelson only discloses drying a pelt on one side of the frame 17. The Pumpkin Lady website, which addresses pumpkin carving, does not cure this shortcoming of Nelson. Accordingly, it is submitted that claim 29 distinguishes patentably over the references of record.

Supplemental Evidence of Patentability

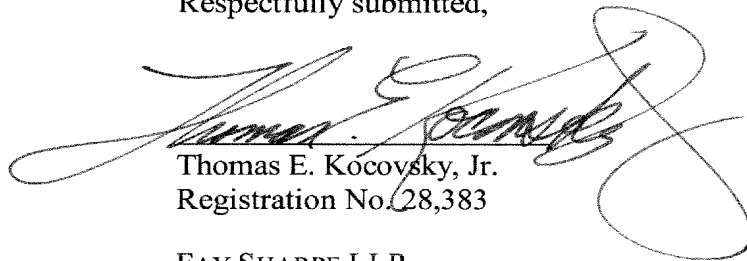
The corresponding Canadian application was initially rejected over Nelson. However, the Canadian Examiner concurred that the Canadian application including claims as submitted in the prior amendment all distinguish patentably over the references of record and granted the application as Canadian Patent 2,145,485. A copy of this patent is submitted as an Exhibit and evidence in support of patentability. Because this Canadian patent is not cited as prior art, no PTO-1449 is attached. Moreover, all claims are narrower than the corresponding Canadian patent by virtue of the limitations set forth in the present amendment. Accordingly, it is submitted that the present claims distinguish yet more forcefully over Nelson and the other references of record.

CONCLUSION

For the reasons set forth above, it is submitted that claims 11-26 and 28-29 are not anticipated by and distinguish patentably over the references of record. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone Thomas Kocovsky at 216.363.9000.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "Thomas E. Kocovsky, Jr.", is written over the typed name and registration number.

Thomas E. Kocovsky, Jr.
Registration No. 28,383

FAY SHARPE LLP
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, OH 44115-1843
Telephone: 216.363.9000 (main)
Telephone: 216.363.9122 (direct)
Facsimile: 216.363.9001
E-Mail: tkocovsky@faysharpe.com